

REMARKS

In view of the following remarks, Applicants respectfully request reexamination of the present application. No claims have been amended and no claims have been cancelled.

The Examiner has rejected Claims 174 and 176-227 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 20-53 of U.S. Patent No. 6,165,247. The Examiner states that although the conflicting claims are not identical, they are not patentably distinct from each other because the instant claims are drawn to processes of making alloy, composite, or coated particles comprising nickel, whereas the '247 claims are to processes of making particles comprising platinum (with or without other metal or oxide phases). The Examiner further states that the process claimed in the '247 patent may result in particles comprising nickel and that the process of the instant claims may result in particles comprising platinum. The Examiner notes that many of the dependent claims in the present application define limitations substantially the same as those of the '247 patent. The Examiner concludes that given that the actual process steps are the same in both the presently claimed process and that of the '247 claims, no patentable distinction is seen between the two sets of claims.


In view of the foregoing, Applicants enclose the appropriate Terminal Disclaimer. For the convenience of the Examiner, Applicants also attach in Appendix A copies of the Assignment and Power of Attorney documents that are also being submitted today.

Applicants enclose the Terminal Disclaimer fee and the fee for the Request for Continued Examination. It is not believed that any additional fees are owed, however any such additional fees or any underpayment can be charged to Deposit Account No. 50-1419.

Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecute and or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 
David F. Dockery
Registration No. 34,323
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(303) 338-0997

Date: May 16, 2005

POWER OF ATTORNEY

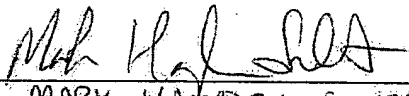
On behalf of Cabot Corporation, a Delaware corporation having a place of business at Two Seaport Lane, Suite 1300, Boston, MA 02210, the undersigned appoints all attorneys and agents associated with Customer Number 25231, Marsh, Fischmann & Breyfogle LLP, as attorneys and agents for Cabot Corporation, with full powers of substitution, association and revocation, to prosecute any patent application (including without limitation U.S. national patent applications, reissue applications, reexaminations, and international applications filed pursuant to the Patent Cooperation Treaty) that is assigned to Cabot Corporation, as well as all corresponding foreign applications, and further to transact all business in the United States Patent and Trademark Office and all foreign and international patent offices connected therewith.

On behalf of Cabot Corporation, the undersigned authorizes any attorney or agent associated with Customer Number 25231 to execute any statement under 37 CFR § 3.73(b) in relation to any application where such attorney or agent has a power of attorney in accordance with the foregoing.

On behalf of Cabot Corporation, the undersigned authorizes all correspondence regarding the above-noted matters to be directed to the correspondence address associated with Customer Number 25231.

The undersigned, whose title is supplied below, is authorized to act on behalf of Cabot Corporation.

Date: April 26th 2005

By: 
Name: MARK HAMDEN-SMITH
Title: General Manager of Cabot Superior
MicroPowders
Company: Cabot Corporation

ASSIGNMENT

WHEREAS, I, Toivo T. Kudas of 11102 San Rafael Dr. NE, Albuquerque, NM 87122 together with Mark J. Hampden-Smith of 2901 Maximillian NW, Albuquerque, NM 87131, James Caruso of 7721 Cedar Canyon Ct. NE, Albuquerque, NM 87122, Quint H. Powell of 14336 Grand Avenue NE, Albuquerque, NM 87123, Daniel J. Skamser of 10327 Hackamore Pl. SW, Albuquerque, NM 87121 and Clive D. Chandler of 10706 SW Capital Highway No. 44, Portland, OR 97219 have invented a certain new and useful invention entitled "NICKEL POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME" for which an application for Letters Patent of the United States has been prepared and filed on February 24, 1998, receiving Serial No. 09/028,678, and further identified as Attorney File No. NAN-004-2.

NOW THEREFORE, be it known that I, the said inventor, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, Nanochem Research LLC, New Mexico corporation having a place of business at 3740 Hawkins NE, Albuquerque, NM 87109, its successors, legal representatives and assigns, the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; I also assign any right, title or interest in and to the invention which has not already been transferred to the assignee; I warrant that I have made no assignment of the invention, application or patent therefor to a party other than Nanochem Research LLC and I am under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and I further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to Nanochem Research LLC, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the party hereto has executed this Assignment as of the date indicated hereunder.

Date:

3/30/98

By:

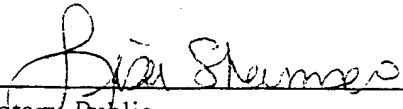
Toivo T. Kudas

Toivo T. Kudas

STATE OF New Mexico)
) ss.
COUNTY OF Bernalillo)

Before me, a Notary Public in and for said County and State, personally appeared Toivo T. Kudas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 30th day of March, 19 98.


Notary Public

My Commission Expires: Sept 11, 2001

ASSIGNMENT

WHEREAS, I, Mark J. Hampden-Smith of 2901 Maximillian NW, Albuquerque, NM 87131 together with Toivo T. Kodas of 11102 San Rafael Dr. NE, Albuquerque, NM 87122, James Caruso of 7721 Cedar Canyon Ct. NE, Albuquerque, NM 87122, Quint H. Powell of 14336 Grand Avenue NE, Albuquerque, NM 87123, Daniel J. Skamser of 10327 Hackamore Pl. SW, Albuquerque, NM 87121 and Clive D. Chandler of 10706 SW Capital Highway No. 44, Portland, OR 97219 have invented a certain new and useful invention entitled "NICKEL POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME" for which an application for Letters Patent of the United States has been prepared and filed on February 24, 1998, receiving Serial No. 09/028,678, and further identified as Attorney File No. NAN-004-2.

NOW THEREFORE, be it known that I, the said inventor, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, Nanochem Research LLC, New Mexico corporation having a place of business at 3740 Hawkins NE, Albuquerque, NM 87109, its successors, legal representatives and assigns, the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; I also assign any right, title or interest in and to the invention which has not already been transferred to the assignee; I warrant that I have made no assignment of the invention, application or patent therefor to a party other than Nanochem Research LLC and I am under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and I further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to Nanochem Research LLC, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the party hereto has executed this Assignment as of the date indicated hereunder.

Date: 3-27-98

By: Mark J. Hampden-Smith
Mark J. Hampden-Smith

STATE OF New Mexico)
COUNTY OF Bernalillo) ss.

Before me, a Notary Public in and for said County and State, personally appeared Mark J. Hampden-Smith, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 27th day of March, 19 98.

Lisa Shamen
Notary Public

My Commission Expires: Sept 11, 2001

ASSIGNMENT

WHEREAS, I, James Caruso of 7721 Cedar Canyon Ct. NE, Albuquerque, NM 87122 together with Mark J. Hampden-Smith of 2901 Maximillian NW, Albuquerque, NM 87131, Toivo T. Kudas of 11102 San Rafael Dr. NE, Albuquerque, NM 87122, Quint H. Powell of 14336 Grand Avenue NE, Albuquerque, NM 87123, Daniel J. Skamser of 10327 Hackamore Pl. SW, Albuquerque, NM 87121 and Clive D. Chandler of 10706 SW Capital Highway No. 44, Portland, OR 97219 have invented a certain new and useful invention entitled "NICKEL POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME" for which an application for Letters Patent of the United States has been prepared and filed on February 24, 1998, receiving Serial No. 09/028,678, and further identified as Attorney File No. NAN-004-2.

NOW THEREFORE, be it known that I, the said inventor, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, Nanochem Research LLC, New Mexico corporation having a place of business at 3740 Hawkins NE, Albuquerque, NM 87109, its successors, legal representatives and assigns, the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; I also assign any right, title or interest in and to the invention which has not already been transferred to the assignee; I warrant that I have made no assignment of the invention, application or patent therefor to a party other than Nanochem Research LLC and I am under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and I further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.


The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to Nanochem Research LLC, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the party hereto has executed this Assignment as of the date indicated hereunder.

Date:

3/25/98

By:


James Caruso

ASSIGNMENT

WHEREAS, I, Quint H. Powell of 14336 Grand Avenue NE, Albuquerque, NM 87123 together with Mark J. Hampden-Smith of 2901 Maximillian NW, Albuquerque, NM 87131, Toivo T. Kudas of 11102 San Rafael Dr. NE, Albuquerque, NM 87122, James Caruso of 7721 Cedar Canyon Ct. NE, Albuquerque, NM 87122, Daniel J. Skamser of 10327 Hackamore Pl. SW, Albuquerque, NM 87121 and Clive D. Chandler of 10706 SW Capital Highway No. 44, Portland, OR 97219 have invented a certain new and useful invention entitled "NICKEL POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME" for which an application for Letters Patent of the United States has been prepared and filed on February 24, 1998, receiving Serial No. 09/028,678, and further identified as Attorney File No. NAN-004-2.

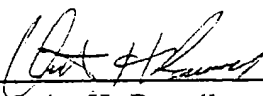
NOW THEREFORE, be it known that I, the said inventor, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, Nanochem Research LLC, New Mexico corporation having a place of business at 3740 Hawkins NE, Albuquerque, NM 87109, its successors, legal representatives and assigns, the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; I also assign any right, title or interest in and to the invention which has not already been transferred to the assignee; I warrant that I have made no assignment of the invention, application or patent therefor to a party other than Nanochem Research LLC and I am under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and I further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to Nanochem Research LLC, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the party hereto has executed this Assignment as of the date indicated hereunder.

Date: 3-24-98

By: _____


Quint H. Powell

STATE OF New Mexico)
COUNTY OF Bernalillo) ss.
)

Before me, a Notary Public in and for said County and State, personally appeared Quint H. Powell, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 24th day of March, 1998.

Diana Sherman
Notary Public

My Commission Expires: September 11, 2001

ASSIGNMENT

WHEREAS, I, Clive D. Chandler of 10706 SW Capital Highway No. 44, Portland, OR 97219 together with Mark J. Hampden-Smith of 2901 Maximillian NW, Albuquerque, NM 87131, Toivo T. Kudas of 11102 San Rafael Dr. NE, Albuquerque, NM 87122, James Caruso of 7721 Cedar Canyon Ct. NE, Albuquerque, NM 87122, Quint H. Powell of 14336 Grand Avenue NE, Albuquerque, NM 87123 and Daniel J. Skamser of 10327 Hackamore Pl. SW, Albuquerque, NM 87121 have invented a certain new and useful invention entitled "NICKEL POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME" for which an application for Letters Patent of the United States has been prepared and filed on February 24, 1998, receiving Serial No. 09/028,678, and further identified as Attorney File No. NAN-004-2.

NOW THEREFORE, be it known that I, the said inventor, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, Nanochem Research LLC, New Mexico corporation having a place of business at 3740 Hawkins NE, Albuquerque, NM 87109, its successors, legal representatives and assigns, the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; I also assign any right, title or interest in and to the invention which has not already been transferred to the assignee; I warrant that I have made no assignment of the invention, application or patent therefor to a party other than Nanochem Research LLC and I am under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and I further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to Nanochem Research LLC, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the party hereto has executed this Assignment as of the date indicated hereunder.

Date: 20 MAY 1998

By: _____

Clive D. Chandler

STATE OF Oregon)
) ss.
COUNTY OF Washington)

Before me, a Notary Public in and for said County and State, personally appeared Clive D. Chandler, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 20 day of May, 1998.



Lisa M. Rogers
Notary Public

My Commission Expires: 12-18-2001

ASSIGNMENT

WHEREAS, Nanochem Research LLC, a New Mexico limited liability company, having a place of business at 3740 Hawkins NE, Albuquerque, New Mexico 87109, is the owner of certain inventions and of United States Patent Applications and International Patent Applications (filed with the U.S. Receiving Office pursuant to the Patent Cooperation Treaty) relating to said inventions, which United States Patent Applications and International Patent Application are listed in Schedule A attached hereto; and

WHEREAS, Superior MicroPowders LLC, a New Mexico limited liability company, having a place of business at 3740 Hawkins NE, Albuquerque, New Mexico 87109, is desirous of acquiring any and all right, title and interest of Nanochem Research LLC in and to the aforementioned inventions and patent applications;

NOW THEREFORE, be it known that for certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, Nanochem Research LLC does sell, assign and transfer to Superior MicroPowders LLC, its successors, legal representatives and assigns, any and all rights of Nanochem Research LLC in and to any and all inventions, patents and patent applications in the United States and any and all other countries, including the United States Patent Applications and International Patent Applications listed in Schedule A, and including all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty and all applications for extension filed or to be filed for any of the inventions, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for any and all inventions in the United States or any other country.

The United States Commissioner of Patents is hereby authorized and requested to issue Letters Patent solely in accordance with the terms of this Assignment to Superior MicroPowders LLC, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the day indicated hereunder.

NANOCHEM RESEARCH LLC

SUPERIOR MICROPOWDERS LLC

By: 
Michael D. McIntosh

Manager

Date: May 26, 99

By: Dana L. Hankey

Dana L. Hankey

President and Chief Executive Officer

Date: May 26, 1999

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

Before me, a Notary Public in and for said County and State, personally appeared Michael D. McIntosh, who acknowledged himself to be the Manager of Nanochem Research LLC and that he as such Manager, being authorized to do so, executed the foregoing instrument for the purposes and considerations therein expressed, by signing the name of the corporation by himself as Manager.

Given under my hand and seal of office this 26 day of May, 1999.


Notary Public

My Commission Expires: 9-22-99

STATE OF COLORADO)
) ss.
COUNTY OF Arapahoe)

Before me, a Notary Public in and for said County and State, personally appeared Dana L. Hankey, who acknowledged himself to be the President and Chief Executive Officer of Superior MicroPowders LLC and that he as such President and Chief Executive Officer, being authorized to do so, executed the foregoing instrument for the purposes and considerations therein expressed, by signing the name of the corporation by himself as Manager.

Given under my hand and seal of office this 26 day of May, 1999.

Lisa R. Oliver
Notary Public

My Commission Expires: 9-22-99

SCHEDULE A
to ASSIGNMENT
from Nanochem Research LLC to Superior MicroPowders LLC

U.S. PATENT APPLICATIONS

SERIAL NO.	FILING DATE	TITLE
60/118,038	February 1, 1999	"DIRECT-WRITE DEPOSITION OF PHOSPHOR POWDERS"
60/098,174	August 26, 1998	"AEROSOL METHOD AND APPARATUS FOR MAKING PARTICULATE PRODUCTS"
09/141,387	August 27, 1998	"FINE POWDERS FOR USE IN PRIMARY AND SECONDARY BATTERIES"
09/141,394	August 27, 1998	"GLASS POWDERS, METHODS FOR PRODUCING GLASS POWDERS AND DEVICES FABRICATED FROM SAME"
09/141,397	August 27, 1998	"METAL-CARBON COMPOSITE POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME"
09/141,393	August 27, 1998	"PHOTOLUMINESCENT PHOSPHOR POWDERS, METHODS FOR MAKING PHOSPHOR POWDERS AND DEVICES INCORPORATING SAME"
09/141,386	August 27, 1998	"X-RAY PHOSPHOR POWDERS, METHODS FOR MAKING PHOSPHOR POWDERS AND DEVICES INCORPORATING SAME"
09/141,405	August 27, 1998	"CATHODOLUMINESCENT PHOSPHOR POWDERS, METHODS FOR MAKING PHOSPHOR POWDERS AND DEVICES INCORPORATING SAME"
09/140,525	August 27, 1998	"ELECTROLUMINESCENT PHOSPHOR POWDERS, METHODS FOR MAKING PHOSPHOR POWDERS AND DEVICES INCORPORATING SAME"
09/028,029	February 24, 1998	"NARROW SIZE DISTRIBUTION POWDERS AND METHODS FOR PRODUCING SAME"
09/030,057	February 24, 1998	"AEROSOL METHOD AND APPARATUS, PARTICULATE PRODUCTS, AND ELECTRONIC DEVICES MADE THEREFROM"
09/028,678	February 24, 1998	"NICKEL POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME"
09/028,901	February 24, 1998	"GOLD POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME"
09/030,051	February 24, 1998	"COPPER POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME"

SERIAL NO.	FILING DATE	TITLE
09/028,034	February 24, 1998	"PLATINUM POWDERS, METHODS FOR PRODUCING POWDERS AND DEVICES FABRICATED FROM SAME"
09/030,060	February 24, 1998	"SULFUR-CONTAINING PHOSPHOR POWDERS, METHODS FOR MAKING PHOSPHOR POWDERS AND DEVICES INCORPORATING SAME"
09/028,603	February 24, 1998	"OXYGEN-CONTAINING PHOSPHOR POWDERS, METHODS FOR MAKING PHOSPHOR POWDERS AND DEVICES INCORPORATING SAME"
09/030,054	February 24, 1998	"PHARMACEUTICAL COMPOSITIONS AND METHODS FOR MAKING SAME"
09/028,628	February 24, 1998	"CHEMICAL-MECHANICAL PLANARIZATION SLURRIES AND POWDERS AND METHODS FOR USING SAME"
09/028,277	February 24, 1998	"SILVER-CONTAINING PARTICLES, METHOD AND APPARATUS OF MANUFACTURE, SILVER-CONTAINING DEVICES MADE THEREFROM"
09/028,751	February 24, 1998	"PALLADIUM-CONTAINING PARTICLES, METHOD AND APPARATUS OF MANUFACTURE, PALLADIUM-CONTAINING DEVICES MADE THEREFROM"
60/038,263	February 24, 1997	"NARROW SIZE DISTRIBUTION POWDERS AND METHODS FOR PRODUCING SAME"
60/039,450	February 24, 1997	"AEROSOL METHOD FOR PREPARING PARTICULATE MATERIAL AND APPARATUS FOR USE THEREIN"
60/038,258	February 24, 1997	"METAL POWDERS AND METHODS FOR PRODUCING SAME"
60/038,262	February 24, 1997	"PHOSPHOR POWDERS AND METHOD FOR MAKING SAME"
60/038,261	February 24, 1997	"PHARMACEUTICAL COMPOSITIONS AND METHODS FOR MAKING SAME"

INTERNATIONAL PATENT APPLICATIONS

SERIAL NO.	FILING DATE	TITLE
PCT/US98/03530	February 24, 1998	"AEROSOL METHOD AND APPARATUS, PARTICULATE PRODUCTS, AND ELECTRONIC DEVICES MADE THEREFROM"
PCT/US98/03621	February 24, 1998	"AEROSOL METHOD AND APPARATUS FOR MAKING PARTICULATE PRODUCTS"
PCT/US98/03550	February 24, 1998	"SULFUR-CONTAINING PHOSPHOR POWDERS, METHODS FOR MAKING PHOSPHOR POWDERS AND DEVICES INCORPORATING SAME"
PCT/US98/03566	February 24, 1998	"OXYGEN-CONTAINING PHOSPHOR POWDERS, METHODS FOR MAKING PHOSPHOR POWDERS AND DEVICES INCORPORATING SAME"
PCT/US99/03970	February 24, 1999	"AEROSOL METHOD AND APPARATUS FOR MAKING PARTICULATE PRODUCTS"

ASSIGNMENT OF UNITED STATES PATENTS

WHEREAS, SUPERIOR MICROPOWDERS, LLC, a New Mexico limited liability company ("Assignor"), is the owner of certain United States patents and the applications therefor identified in Schedule A attached hereto and incorporated herein by reference (the "Patents" and "Applications"); and

WHEREAS, Cabot Corporation, a Delaware corporation ("Assignee"), is desirous of acquiring the entire rights, title and interests in and to the Patents and Applications and the inventions respectively covered thereby; and

WHEREAS, in order to effectuate Assignor's assignment of its entire rights, title and interests in and to the Patents and Applications to Assignee, Assignor is executing this instrument of assignment.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign, convey and transfer to Assignee, its successors, assigns and legal representatives, its full and entire rights, title and interests in and to the Patents and Applications, and/or the inventions covered therein, including all priority rights, and any continuations and/or any divisional applications thereof, and any reissue applications pertaining to any of the Patents, and any reissued patents granted on such reissue applications, and any re-examinations of any of the Patents, the same to be held and enjoyed by Assignee for its own use and enjoyment and for the use and enjoyment of its successors, assigns, and legal representatives, to the end of the terms for which the Patents and Applications are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. The foregoing assignment includes any and all causes of action and claims for damages by reason of infringement of the Patents, or any of them, which causes of action and claims arose prior to the date of execution hereof, together with the right to sue for and collect the same for Assignee's own use, benefit and enjoyment, and for the use, benefit and enjoyment of its successors, assigns and legal representatives.

Assignor hereby agrees that Assignee shall have the right to record this instrument of assignment in the United States Patent and Trademark Office, so as to establish Assignee as owner of record of future Patents and Applications, and the inventions covered therein, as the case may be, in the United States.

Assignor further agrees, at the request of Assignee, to: (i) execute and have executed any and all other documents of any kind whatsoever, and to provide whatever information may be required, to carry out the terms and intent of this Assignment, including, performing such lawful acts at Assignee's sole expense as are reasonably necessary to assist or enable Assignee to obtain and enforce the rights and interests herein assigned; and (ii) fully cooperate with Assignee, as reasonably required, to enable Assignee to duly record this instrument of assignment with the United States Patent and Trademark Office so that Assignee's ownership of the Patents and Applications, and the inventions disclosed and claimed therein, is duly made of record in the United States.

IN WITNESS WHEREOF, Assignor has caused this instrument to be executed on the
30th day of May, 2003.

SUPERIOR MICROPOWDERS, LLC

By: _____

Robert J. Size, President

CABOT CORPORATION

By: _____

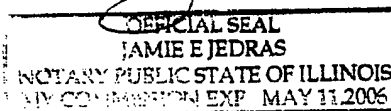
William J. Brady, Executive Vice President

State of Illinois)
County of Cook) SS

On this 30th day of May, 2003, before me,
the undersigned Notary Public, personally appeared
Robert J. Size personally known to me
OR
evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),
and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

James E. Jedras
Notary's Signature



State of Massachusetts)
County of Middlesex) SS

On this 6 day of June, 2003, before me,
Linda M. Coven, the undersigned Notary Public, personally appeared
William J. Brady personally known to me
OR
evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),
and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Linda M. Coven
Notary's Signature

LINDA M. COVENO
NOTARY PUBLIC
My Commission Expires June 20, 2006

SCHEDULE A

See attached.

SCHEDULE A to Assignment of US Patent Rights

	Title	Inventors	Application No.	Filing Date	Patent No.
1	Aerosol Method and Apparatus, Particulate Products, and Electronic	Hampden-Smith, Kodas, Powell, Skamser, Caruso, Chandler	09/030,057	02/24/98	6,338,809
2	Method and Apparatus, Particulate Products, and Electronic Devices	Hampden-Smith, Kodas, Powell, Skamser, Caruso, Chandler	09/668,947	09/22/00	
3	Aerosol Method and Apparatus for Making Particulate Products	Brewster, Dericotte, Hampden-Smith, Kodas	09/786,999	3/13/01	
4	Palladium-Containing Particles	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/028,751	02/24/98	6,159,267
5	Palladium-Containing Particles	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/668,441	09/20/00	
6	Method For Making Silver-Containing Particles	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/028,277	02/24/98	6,277,169
7	Method For Making Silver-Containing Particles	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/668,805	09/22/00	
8	Nickel Powders, Methods For Producing Powders and Devices Fabricated from Same	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/028,678	02/24/98	6,316,100
9	Nickel Powders, Methods For Producing Powders and Devices Fabricated from Same	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/991,270	11/09/01	
10	Copper Powders, Methods For Producing Powders and Devices Fabricated from Same	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/030,051	02/24/98	
11	Copper Powders, Methods For Producing Powders and Devices Fabricated from Same	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/586,151	06/2/00	
12	Gold Powders, Methods For Producing Powders and Devices Fabricated from Same	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/698,363	10/27/00	
13	Platinum Powders, Methods For Producing Powders and Devices Fabricated from Same	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/028,034	02/24/98	6,165,247
14	Platinum Powders, Methods For Producing Powders and Devices Fabricated from Same	Kodas, Hampden-Smith, Caruso, Skamser, Powell, Chandler	09/659,638	09/12/00	
15	Oxygen-Containing Phosphor Powders, Methods For Making Phosphor Powders and Devices Incorporating Same	Hampden-Smith, Kodas, Caruso, Skamser, Powell	09/028,603	02/24/98	6,180,029
16	Oxygen-Containing Phosphor Powders, Methods For Making Phosphor Powders and Devices Incorporating Same	Hampden-Smith, Kodas, Caruso, Skamser, Powell	09/757,391	01/08/01	6,555,022
17	Oxygen-Containing Phosphor Powders, Methods For Making Phosphor Powders and Devices Incorporating Same	Hampden-Smith, Kodas, Caruso, Skamser, Powell	09/424,994	04/28/03	

SCHEDULE A to Assignment of US Patent Rights

	Title	Inventors	Application No.	Filing Date	Patent No.
18	Sulfur-Containing Phosphor Powders, Methods For Making Phosphor Powders and Devices Incorporating Same	Hampden-Smith, Kodas, Caruso, Skamser, Powell, Kunze	09/030,060	11/28/00	6,153,123
19	Sulfur-Containing Phosphor Powders	Hampden-Smith, Kodas, Caruso, Skamser, Powell, Kunze	09/718,640	11/22/00	
20	Photoluminescent Phosphor Powders, Methods For Making Phosphor Powders and Devices Incorporating Same	Hampden-Smith, Kodas, Caruso, Skamser, Powell, Kunze	09/141,393	08/27/98	6,197,218
21	Photoluminescent Phosphor Powders, Methods For Making Phosphor Powders and Devices Incorporating Same	Hampden-Smith, Kodas, Caruso, Skamser, Powell, Kunze	09/800,426	03/06/01	
22	Electroluminescent Phosphor Powders, Methods For Making Phosphor Powders and Devices Incorporating Same	Hampden-Smith, Kodas, Caruso, Skamser, Powell, Kunze	09/140,525	08/27/98	6,193,908
23	Electroluminescent Phosphor Powders, Methods For Making Phosphor Powders and Devices Incorporating Same	Hampden-Smith, Kodas, Caruso, Skamser, Powell, Kunze	09/757,302	01/09/01	
24	Cathodoluminescent Phosphor Powders, Methods For Making Phosphor	Hampden-Smith, Kodas, Caruso, Skamser, Powell, Kunze	09/141,405	08/27/98	6,168,731
25	Cathodoluminescent Phosphor Powders, Methods For Making Phosphor	Hampden-Smith, Kodas, Caruso, Skamser, Powell, Kunze	09/751,341	12/29/00	
26	X-Ray Phosphor Powders, Methods For Making Phosphor Powders and Devices Incorporating Same	Hampden-Smith, Kodas, Caruso, Skamser, Powell, Kunze	09/141,386	08/27/98	6,210,604
27	Direct-Write Deposition of Phosphor Powders	Hampden-Smith, Kodas, Caruso, Skamser	09/495,141	01/31/00	
28	Fine Powders For Use in Primary and Secondary Batteries	Hampden-Smith, Kodas, Caruso, Powell	09/927,888	08/10/01	
29	Metal Carbon Composite Powders, Methods For Producing Powders	Kodas, Hampden-Smith, Caruso, Skamser, Powell	09/141,397	08/27/98	6,103,393
30	Electrocatalyst Powders, Methods for Producing Powders and Devices Fabricated from Same	Hampden-Smith, Kodas, Atanassov, Atanassova, Kunze, Napolitano, Dericotte	09/532,917	03/22/00	
31	Metal Carbon Composite Powders, Methods For Producing Powders	Kodas, Hampden-Smith, Caruso, Skamser, Powell	09/636,732	08/10/00	
32	Energy Devices and Methods for the Fabrication of Energy Devices	Hampden-Smith, Kodas, Atanassov, Atanassova, Kunze, Napolitano, Dericotte, Bhatia	09/589,710	06/08/00	

SCHEDULE A to Assignment of US Patent Rights

	Title	Inventors	Application No.	Filing Date	Patent No.
33	Electrocatalyst Powders, Methods for Producing Powders and Devices Fabricated from Same	Hampden-Smith, Kodas, Alanassov, Alanassova, Kunze, Napolitano, Dericotte, Bhatia	09/815,380	03/22/01	
34	Metal Carbon Composite Powders	Kodas, Hampden-Smith, Caruso, Skamser, Powell	10/209,234	07/31/02	
35	Fuel Cells and Batteries Including Metal-Carbon Composite Powders	Kodas, Hampden-Smith, Caruso, Skamser, Powell	10/209,342	07/31/02	
36	Method for the Production of Metal-Carbon Composite Powders	Kodas, Hampden-Smith, Caruso, Skamser, Powell	10/209,343	07/31/02	
37	Methods for the Production of Patterned and Unpatterned Metal-Carbon Features	Kodas, Hampden-Smith, Caruso, Skamser, Powell	10/209,407	07/31/02	
38	Composite Particles for Electrocatalytic Applications	Hampden-Smith, Kodas, Alanassov, Kunze, Napolitano, Dericotte	10/210,597	07/31/02	
39	Method For the Production of Electrocatalyst Powders	Hampden-Smith, Kodas, Alanassov, Kunze, Napolitano, Dericotte	10/210,600	07/31/02	
40	Method for the Fabrication of an Electrocatalyst Layer	Hampden-Smith, Kodas, Alanassov, Kunze, Napolitano, Dericotte	10/210,816	07/31/02	
41	Method for Making Composite Particles Including a Polymer Phase	Hampden-Smith, Kodas, Alanassov, Alanassova, Kunze, Napolitano, Dericotte, Bhatia	10/212,992	08/05/02	
42	Metal-Air Battery Components and Methods for Making Same	Hampden-Smith, Kodas, Alanassov, Alanassova, Kunze, Napolitano, Dericotte, Bhatia	10/213,147	08/05/02	
43	Membrane Electrode Assemblies for Use in Fuel Cells	Hampden-Smith, Kodas, Alanassov, Alanassova, Kunze, Napolitano, Dericotte, Bhatia	10/213,001	08/05/02	
44	Method for Fabricating Membrane Electrode Assemblies	Hampden-Smith, Kodas, Alanassov, Alanassova, Kunze, Napolitano, Dericotte, Bhatia	10/213,116	08/05/02	
45	Method For the Deposition of an Electrocatalyst Layer	Hampden-Smith, Kodas, Alanassov, Alanassova, Kunze, Napolitano, Dericotte, Bhatia	10/212,991	08/05/02	
46	Improved Energy Devices	Hampden-Smith, Kodas, Alanassova, Napolitano, Bhatia, Brewster	10/279,773	10/24/02	
47	Electrocatalyst Powders, Methods for Producing Powders and Devices Fabricated from Same	Kodas, Hampden-Smith, Alanassov, Kunze, Napolitano, Bhatia, Dericotte, Alanassova	10/297,528	12/05/02	

SCHEDULE A to Assignment of US Patent Rights

	Title	Inventors	Application No.	Filing Date	Patent No.
48	Method of Producing Membrane Electrode Assemblies for Use in Proton Exchange Membrane and Direct Methanol Fuel Cells	Hampden-Smith, Kodas, Atanassova, Bhatia, Miesem, Napolitano, Rice	10/417,417	4/16/03	
49	Methods For Producing Glass Powders	Kodas, Hampden-Smith, Caruso, Powell, Ludviksson	09/141,394	08/27/98	6,360,562
50	Glass Powders	Kodas, Hampden-Smith, Caruso, Powell, Ludviksson	10/032,298	12/21/01	
51	Dental Glass Powders	Kodas, Hampden-Smith, Powell, Brewster, Skamser, Kunze, Atanassova, Napolitano	09/520,488	03/8/00	
52	Chemical-Mechanical Planarization Slurries and Powders and Methods for Using Same	Hampden-Smith, Kodas, Caruso, Powell, Skamser, Chandler	09/028,628	02/24/98	
53	Chemical-Mechanical Planarization Slurries and Powders and Methods for Using Same	Hampden-Smith, Kodas, Caruso, Powell, Skamser, Chandler	09/753,026	01/02/01	
54	Powder Batch of Pharmaceutically-Active Particles and Methods For Producing Same	Kodas, Hampden-Smith, Caruso, Powell, Skamser	09/039,054	02/24/98	6,051,257
55	Powder Batch of Pharmaceutically-Active Particles and Methods For Producing Same	Kodas, Hampden-Smith, Caruso, Powell, Skamser	09/552,438	04/18/00	
56	Combinatorial Synthesis of Particulate Materials	Kodas, Hampden-Smith	09/821,723	03/29/01	
57	Combinatorial Synthesis of Material Systems	Kodas, Hampden-Smith	09/821,848	03/29/01	
58	Methods and Materials for the Preparation of a Zinc Anode Useful for Batteries and Fuel Cells	Hampden-Smith, Djokic, Atanassova, Bhatia, Napolitano	10/171,079	6/12/02	
59	Low Viscosity Copper Precursor Compositions and Methods for the Deposition of Conductive Electronic Features	Atanassova, Hampden-Smith, Kodas, Vanheusden, Denham, Slump, Shult, Kunze	10/265,179	10/4/02	
60	Low Viscosity Precursor Compositions and Methods for the Deposition of Conductive Electronic Features	Atanassova, Hampden-Smith, Kodas, Vanheusden, Denham, Slump, Shult, Kunze	10/265,351	10/4/02	
61	Methods and Compositions for the Formation of Recessed Electrical Features on a Substrate	Atanassova, Hampden-Smith, Kodas, Vanheusden, Denham, Slump, Shult, Kunze	10/265,295	10/4/02	
62	Precursor Compositions and Methods for the Deposition of Passive Electrical Components on a Substrate	Atanassova, Hampden-Smith, Kodas, Vanheusden, Denham, Slump, Shult, Kunze	10/265,070	10/4/02	
63	Precursor Compositions for the Deposition of Electrically Conductive Features	Atanassova, Hampden-Smith, Kodas, Vanheusden, Denham, Slump, Shult, Kunze	10/265,296	10/4/02	
64	Tape Compositions for the Deposition of Electronic Features	Atanassova, Hampden-Smith, Kodas, Vanheusden, Denham, Slump, Shult, Kunze	10/274,495	10/18/02	
65	Precursor Compositions for the Deposition of Passive Electronic Features	Atanassova, Hampden-Smith, Kodas, Vanheusden, Denham, Slump, Shult, Kunze	10/286,363	11/1/02	

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